

February 11, 2003

CENTRAL MAINE POWER COMPANY
Proposed Revisions to Standard Form
Competitive Electricity Provider Agreement

ORDER ADOPTING
MODIFICATIONS TO
STANDARD CONTRACT
AND DELEGATION ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

Through this Order, we adopt several modifications to the Standard Competitive Electricity Provider Service Agreement (CEP Agreement). We also delegate future changes to the CEP Agreement, as well as to the Standard Offer Provider Standard Service Agreement (SOP Agreement), to the Director of Technical Analysis.

II. BACKGROUND AND DECISION

Section 10 of Chapter 322 requires transmission and distribution (T&D) utilities to enter into contracts with competitive electricity providers (CEPs) to implement various provisions of the Chapter.¹ By Order issued July 19, 1999 in Docket No. 99-170, the Commission adopted a standard form agreement to be used by T&D utilities for their arrangements with CEPs. By Order issued December 17, 1999, also in Docket No. 99-170, the Commission adopted further amendments to the standard agreement.

On April 5, 2002, Central Maine Power Company (CMP) filed a letter suggesting several revisions to the standard agreement. CMP stated that it had consulted Bangor Hydro-Electric Company and Maine Public Service Company in developing the proposed revisions, and that the majority of the changes are of a housekeeping nature. CMP also proposed to update its exhibits to the agreement. The Commission invited interested persons to comment on CMP's proposed revisions. The Commission received no comments on the matter.

On November 25, 2002, CMP filed a letter stating that, since the April 5th filing, it had identified additional modifications that should be made to the standard form CEP agreement. These proposed revisions include (1) language that allows CEPs to perform credit and collections work under consolidated utility billing and (2) a new provision that allows certain customers to commence service with a CEP upon establishment of T&D service, rather than defaulting to standard offer service until the

¹ Chapter 322 governs a variety of interactions with T&D utilities, including metering, billing, collections and enrollment.

customer's first meter read date. These proposed changes have been presented to the Maine Electronic Business Transaction Working Group,² and no member has objected.

We have reviewed CMP's proposed changes to the standard contract and to its exhibits and find them to be reasonable. We hereby adopt the changes. The revised contract and exhibits are attached.

Moreover, we hereby delegate, pursuant to 35-A M.R.S.A. § 107(4), the authority to approve future modifications to the CEP Agreement and SOP Agreement to our Director of Technical Analysis. This action will provide for a more efficient process in that the majority of changes tend to be of a non-controversial or non-substantive nature.

Dated at Augusta, Maine, this 11th day of February, 2003.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Diamond

COMMISSIONER ABSENT: Nugent

² This Working Group is made up of Maine utilities, CEPs and other interested persons who work on developing and refining business processes and electronic transactions that support retail competition in Maine.

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.